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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/591,716

09/06/2006

Kyle Chien

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WENDEROTH, LIND & PONACK L.L.P.

2033 K. STREET, NW

SUITE 800

WASHINGTON, DC 20006

EXAMINER

HANNE, SARA M

ART UNIT

PAPER NUMBER

2179

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/591,716	<b>Applicant(s)</b> CHIEN ET AL.	
	<b>Examiner</b> SARA M. HANNE	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/6/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This is the first office action is responsive to Claims filed September 6, 2006.  
Claims 1-16 are pending in the application with Independent Claims 1 and 9.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki, US Patent Application Publication 2002/0057259.

As in Independent Claim 1, Suzuki teaches a method comprising: detecting a touch on one of said plurality of keys (Par. 9); displaying on said display, in response to the detection of a touch on one key, a pop-up display of a representing information representing the touched key (Par. 10); detecting a depression of the touched key (Par. 11); and entering data assigned to said touched key (Fig. 4, ie. Ref. S33).

As in Independent Claim 9, Suzuki teaches an apparatus comprising: a touch detecting arrangement operable to detect a touch on one of said plurality of keys(Par. 9); a displaying arrangement operable to display on said display, in response to the detection of a touch on one key, a pop-up display of a representing information representing the touched key (Par. 10); a depression detecting arrangement operable to

Art Unit: 2179

detect a depression of the touched key(Par. 11); and an entering arrangement operable to enter data assigned to said touched key (Fig. 4, ie. Ref. S33).

As in Claims 2 and 10, Suzuki teaches the representing information is the indicator (Fig. 3).

As in Claims 3 and 11, Suzuki teaches the representing information is a number assigned to the key (Fig. 6).

As in Claims 4 and 12, Suzuki teaches the representing information is a character assigned to the key (Fig. 7).

As in Claims 5 and 13, Suzuki teaches the representing information is a plurality of characters assigned to the key (Par. 55).

As in Claims 6 and 14, Suzuki teaches the representing information is a function assigned to the key (Fig. 6).

As in Claims 8 and 16, Suzuki teaches the pop-up display is displayed for a predetermined period of time (Par. 55).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2179

5. Claims 7 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki, US Patent Application Publication 2002/0057259 and further in view of Grover et al., US Patent 5818437, hereinafter Grover.

As in Claims 7 and 15, Suzuki teaches after data entering, displaying on said display, in response to the detection of depress, a regular display in which the entered data is displayed together with previously entered data.

Suzuki teaches a method and apparatus for detecting a touch on one of said plurality of keys; displaying on said display, in response to the detection of a touch on one key, a pop-up display of a representing information representing the touched key; detecting a depression of the touched key; and entering data assigned to said touched key (See rejection of Claims 1 and 9 *supra*). While Suzuki teaches a touch key to display a pop-up representing the touched key and an entry of the key when depressed, they fail to explicitly teach the regular display of entered data with previously entered data as recited in the claims. In the same field of the invention, Grover teaches a data input method with key functionality similar to that of Suzuki. In addition, Grover further teaches after data entering, displaying on said display, in response to the detection of depress, a regular display in which the entered data is displayed together with previously entered data (Fig. 1 and corresponding text). It would have been obvious to one of ordinary skill in the art, having the teachings of Suzuki and Grover before him at the time the invention was made, to modify the a touch key to display a pop-up representing the touched key and an entry of the key when depressed taught by Suzuki

Art Unit: 2179

to include the entry of key data to display data along with previously entered data of Grover, in order to obtain a touch key to display a pop-up representing the touched key and an entry of the key when depressed, and after data entering, displaying on said display, in response to the detection of depress, a regular display in which the entered data is displayed together with previously entered data. One would have been motivated to make such a combination because continuing message entry for user recall would have been obtained, as taught by Grover.

### ***Conclusion***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar key selection and display signifying previews to alert the user of the function of the button they may be selecting.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARA M. HANNE whose telephone number is (571)272-4135. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WEILUN LO can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sara M Hanne/

Examiner, Art Unit 2179